

Amendment and Response

Applicant: Michael D. Whitmarsh et al.

Serial No.: 09/686,849

Filed: October 10, 2000

Docket No.: 10003976-1

Title: INTERNET PRINT BROKERING SYSTEM AND METHOD

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed July 25, 2005, in which claims 1-6, 8-15, and 17-43 were rejected. With this Amendment, claims 9, 29, and 42 have been cancelled without prejudice, and claims 1, 10, 13, 15, 17, 19, 30, 33-35, 37, and 39 have been amended to clarify Applicant's invention. Claims 1-6, 8, 10, 15, and 17-28, 30-41, and 43, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-6, 8-15, and 17-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Neuhard et al. U.S. Patent No. 6,335,795.

With this Amendment, independent claim 1 has been amended to clarify that determining which of the print providers have the printing capability to fulfill the print request includes performing a first match of the print request with the printing capability of the print providers and establishing a first subset of the print providers based on the first match, querying the first subset of the print providers on the performance attribute of the print job and receiving a response thereto, and performing a second match of the parameter of the performance attribute with the response thereto and establishing a second subset of the print providers based on the second match, wherein the method of brokering the print job includes compiling a list of the second subset of the print providers which has the printing capability to fulfill the print request and matches the performance attribute of the print job, and presenting the list to the customer.

With this Amendment, independent claim 19 has been amended to clarify that the print brokering system controller is adapted to perform a first match of the print request with the printing capability of the print providers and establish a first subset of the print providers based on the first match, query the first subset of the print providers on the performance attribute of the print job and receive a response thereto, and perform a second match of the parameter of the performance attribute with the response thereto and establish a second subset of the print providers based on the second match, and clarify that the print brokering system controller is adapted to compile a list of the second subset of the print providers which

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has the printing capability to fulfill the print request and matches the performance attribute of the print job.

With this Amendment, independent claim 37 has been amended to clarify that determining which of the print providers have the printing capability to fulfill the print request includes performing a first match of the print request with the printing capability of the print providers and establishing a first subset of the print providers based on the first match, querying the first subset of the print providers on the performance attribute of the print job and receiving a response thereto, and performing a second match of the parameter of the performance attribute with the response thereto and establishing a second subset of the print providers based on the second match, wherein the method of brokering the print job includes compiling via the print brokering system controller a list including only the second subset of print providers which have the printing capability to fulfill the print request and match the performance attribute of the print job.

With respect to the Neuhard et al. patent, this patent does not teach or suggest a method of brokering a print job as claimed in independent claims 1 and 37 including, amongst other things, performing a first match of the print request with the printing capability of the print providers and establishing a first subset of the print providers based on the first match, querying the first subset of the print providers on the performance attribute of the print job and receiving a response thereto, and performing a second match of the parameter of the performance attribute with the response thereto and establishing a second subset of the print providers based on the second match, nor a system for brokering a print job as claimed in independent claim 19 wherein, amongst other things, a print brokering system controller is adapted to perform a first match of the print request with the printing capability of the print providers and establish a first subset of the print providers based on the first match, query the first subset of the print providers on the performance attribute of the print job and receive a response thereto, and perform a second match of the parameter of the performance attribute with the response thereto and establish a second subset of the print providers based on the second match.

In view of the above, Applicant submits that independent claims 1, 19, and 37 are each patentably distinct from the Neuhard et al. patent and, therefore, are in a condition for allowance. Furthermore, as dependent claims 2-6, 8, 10-15, and 17-18 further define

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patentably distinct claim 1, dependent claims 20-28 and 30-36 further define patentably distinct claim 19, and dependent claims 38-41 and 43 further define patentably distinct claim 37, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-6, 8-15, and 17-43 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 1-6, 8, 10-15, and 17-28, 30-41, and 43 be allowed.

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Title: INTERNET PRINT BROKERING SYSTEM AND METHOD**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-6, 8, 10-15, and 17-28, 30-41, and 43 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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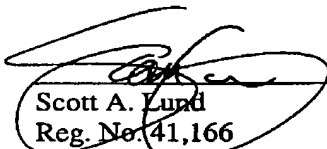
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 17th day of October, 2005.

By 

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